

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

JUN - 1 2016

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Edna Delaia Gonzalez

YOB: 1993

Principal

United States Citizen

Case Number:

M-16-1057-M

Ricardo Alberto Ordóñez

YOB: 1992

Co-Principal

United States Citizen

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 05/30/16 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)
 knowing or in reckless disregard of the fact that Reina Isabel Palma-Chavarria, a citizen and national of Guatemala, and Herlinda Marilyn Ramirez-Canada, a citizen and national of El Salvador, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Mission, Texas to the point of arrest in Mission, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On May 30, 2016, Border Patrol Agents were assigned line watch duties in the McAllen Station area of responsibility. At approximately 11:10 A.M. the McAllen Tactical Operations Center (TOC) advised agents of possible traffic near the Monastery in Mission, Texas. As agents were patrolling the north side of the Monastery on FM 494, agents observed a red passenger vehicle at a complete stop facing north on the northwest corner of the Monastery by the railroad tracks. The vehicle began to travel north at a normal speed on FM 494 and turned east on Military Highway. Agents proceeded to follow the vehicle which approached the stop light at the intersection of Anzalduas Highway and Military Highway. Agents maneuvered next to the vehicle and noticed a female driver and a male passenger with several individuals in the back seat of the red Chevrolet Sonic. Agents also observed the passengers in the back seat were covering their faces and looking down.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

 Yes No

Signature of Complainant

Eric Sturgeon Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

June 1, 2016

Date

 Peter E. Ormsby, U. S. Magistrate Judge
 Name and Title of Judicial Officer
at McAllen, Texas

City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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**RE: Edna Delaia Gonzalez
Ricardo Alberto Ordóñez**

CONTINUATION:

Agents then activated their vehicle service emergency equipment and the vehicle pulled over to the shoulder lane in front of the Mission Regional Medical Center.

Upon inspection of the passengers inside the vehicle it was determined that five of the individuals in the back seat did not possess any legal documentation to be or remain in the United States. The driver later identified as, GONZALEZ, Edna Delaia and front seat passenger later identified as, ORDÓÑEZ, Ricardo Alberto, were determined to be United States Citizens.

All subjects were placed under arrest and transported to the McAllen Border Patrol Station for further processing.

MIRANDA RIGHTS and STATEMENTS:

Principal Statement (Driver): GONZALEZ, Edna Delaia

GONZALEZ, Edna Delaia a citizen of the United States was read her Miranda Rights. GONZALEZ stated that she understood her rights and was not willing to speak without the presence of a lawyer.

Principal Statement (Passenger): ORDÓÑEZ, Ricardo Alberto

ORDÓÑEZ, Ricardo Alberto a citizen of the United States was read his Miranda Rights. ORDÓÑEZ stated that he understood his rights and was willing to speak without the presence of a lawyer

ORDÓÑEZ stated that he and GONZALEZ, Edna Delaia (Driver) were out sightseeing and taking pictures at the Anzalduas Park. He stated that as they were leaving they were passing the Monastery curb, where they were asked by two females for a ride to the expressway. He stated they were also accompanied by three other male subjects. ORDÓÑEZ stated that GONZALEZ agreed to give them a ride.

Material Witness Statement #1:

Reina Isabel Palma-Chaveria a citizen and national of Guatemala was read her Miranda Rights. PALMA understood her rights and agreed to answer any questions without the presence of a lawyer.

PALMA stated she paid \$3000 USD to be smuggled into the United States on May 30, 2016. PALMA stated that once she crossed into the United States, she was in the brush for around 4 hours with a group of undocumented aliens that she had crossed with. PALMA claims the guide that was in the brush was on the phone with someone that was in the car that was going to pick them up.

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CONTINUATION:

PALMA stated the guide told them before he left to wait for a red car to pick them up. PALMA stated the guide told them there would be a female driver and a male passenger. PALMA claims shortly after the vehicle arrived the group ran out of the brush and towards the vehicle. PALMA claims once they began to drive away a police car pulled them over and both the driver and front passenger told them if they wanted to run, now would be the time. She said no one ran and that they were all arrested.

PALMA identified both the driver Edna Delaia Gonzalez and passenger Ricardo Alberto Ordonez through CBP photo lineups.

Material Witness Statement #2:

Herlinda Marilyn Ramirez-Canada a citizen and national of El Salvador was read her Miranda Rights. RAMIREZ understood her rights and agreed to answer any questions without the presence of a lawyer.

RAMIREZ stated she was going to pay an unknown amount of money once she arrived at her destination in the United States. RAMIREZ stated she crossed into the United States on May 30, 2016, and walked to an abandoned church by her guide. RAMIREZ stated once at the church the guide told them a small vehicle was going to pick them up. Shortly after the vehicle arrived at the location, RAMIREZ stated the group ran out of the brush into the vehicle. RAMIREZ stated that the driver was giving them instructions on how to get seated in the vehicle. RAMIREZ claims moments later they were pulled over and arrested.

RAMIREZ identified both the driver Edna Delaia Gonzalez and passenger Ricardo Alberto Ordonez through CBP photo lineups.